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TO

Confirm a Provisional Order under the Drainage and Improvement of Lands (Ireland) Act 1863 and the Acts amending the same relating to the Farney Bridge and Ballynahow Drainage District in the County of Tipperary. A.D. 1904.

WHEREAS the Commissioners of Public Works in Ireland have in pursuance of the Drainage and Improvement of Lands (Ireland) Act 1863 and the Acts amending the same duly made the Provisional Order contained in the schedule to this Act annexed and it is by the first-mentioned Act provided that no such Order shall be of any validity whatever until confirmed by Parliament and it is expedient that the said Order should be so confirmed: 26 & 27 Vict. c. 88. Section 6 subsection 7.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereto annexed is hereby confirmed and all the provisions thereof as set out in the said schedule shall from and after the passing of this Act have full validity and force. Provisional Order in schedule confirmed.

2. This Act may be cited for all purposes as the Drainage and Improvement of Lands Supplemental (Ireland) Act 1904. Short title.

[Bill 213.]

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A.D. 1904.

SCHEDULE.

THE DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) ACTS 1863 TO 1880.

26 & 27 Vict. c. 88 27 & 28 Vict. c. 72 28 & 29 Vict. c. 52
32 & 33 Vict. c. 72 35 & 36 Vict. c. 31 37 & 38 Vict. c. 32 5
41 & 42 Vict. c. 59 and 43 & 44 Vict. c. 27.

In the matter of the Farney Bridge and Ballynahow Drainage District in the county of Tipperary.

WHEREAS certain proprietors of and persons interested in the lands upon and adjacent to the Soolvane River on or about the tenth day of January 10 one thousand nine hundred and three presented their petition to the Commissioners of Public Works in Ireland under the provisions of the Drainage and Improvement of Lands (Ireland) Act 1863 (herein-after called "the Act of 1863") and the Acts amending the same accompanied by the proper schedules maps plans sections and estimates together with 15 other particulars and information required by the said Act showing by reference to the said maps the boundaries and area of the proposed drainage district and stating the exigencies rendering the formation of such drainage district necessary and praying that the said lands within the proposed district should be constituted a separate drainage district under the provisions 20 of the said Acts:

And whereas the said Commissioners referred the same to Peter Ponsonby Metge Esquire civil engineer an inspector duly appointed under the said Acts:

And whereas all notices and inquiries required by the said Act have been duly given and made and the said inspector has duly reported to us the said 25 Commissioners in writing the result of his inquiries and we the said Commissioners have duly considered the same:

And whereas an objection to the said report has been made to us and considered:

And whereas all preliminaries required by the said Act of 1863 to 30 precede the making of this Provisional Order have been performed and complied with:

And whereas we the said Commissioners upon consideration of the premises are satisfied of the propriety of constituting the proposed separate drainage district and that the proprietors of one moiety in value of the lands 35 in the proposed district are in favour thereof and have subsequently to the date of the report of the said inspector assented thereto in writing and that the proprietors of one-third part in value of such lands in the said district have not expressed in writing their dissent to the formation of the said drainage district: 40

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Now therefore in pursuance of the power given to us by the said Acts we the Commissioners of Public Works in Ireland do by this Provisional Order under our common seal constitute the area in the said petition and report and the boundaries and extent of which are set forth within yellow lines on the map to which we have caused our common seal to be attached (and which map is deposited in the Office of Public Works in Ireland) a separate drainage district by the name of "the Farney Bridge and Ballynahow Drainage District":

And we do declare that the lands to be purchased for the proposed works in the said district (subject to such alterations and deviations therefrom as we the said Commissioners may hereafter sanction) are the lands in that behalf shown and set forth in the said map and the schedule thereto annexed marked with the letter B and also sealed with our common seal:

And we the said Commissioners of Public Works do by this our Order order and direct that the time for the completion of the necessary works in the said district shall be limited to the thirty-first day of December which will be in the year one thousand nine hundred and five:

And we do further by this our Provisional Order make the following regulations with respect to the Drainage Board:—

That the Drainage Board for said district shall consist of five members That the following persons shall be the members of the first Drainage Board viz.—John Carrigan and Jeremiah Dempsey both of Thurles Timothy Morrisey of Ballinahow Thurles Patrick Dwyer of Garrynamona Ballycahill Thurles and John Ryan of Cormackstown Thurles esquires all in the county of Tipperary.

That the first meeting of said Board shall be summoned by notice under the hands of any two or more of the said Board published in the Dublin Gazette and some newspaper generally circulated in the said district at least fourteen days next before the day of meeting.

That the qualification of any subsequent member of the said Board shall be that he shall be the proprietor (as defined by the said Act of 1863 and the Acts referred to therein or incorporated therewith) of not less than twenty acres of land situate within the area of the said district or the land agent for the time being of a person being a proprietor as aforesaid of not less than one hundred acres of land situate within the area of the said district and acting as receiver of the rents and profits of such lands or a tenant farmer or occupier on the lands situate within the area of the said district.

That the members of the first Board shall vacate their offices on the first Thursday in September one thousand nine hundred and five.

That the electors for members of the Drainage Board shall be the persons in that behalf mentioned in the said Act of 1863 Provided always that no such elector shall be entitled to vote or exercise any privilege as such unless the lands of which he is the proprietor or some portion thereof shall be rateable on account of the works in the district and be shall have

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previously paid all rates or arrears of rates which may be payable by him in respect of any drainage rate for the aforesaid district.

In witness whereof we the said Commissioners of Public Works in Ireland have hereunto caused our common seal to be affixed this eleventh day of May one thousand nine hundred and four. 5

(L.S.) (Signed) H. Williams
Secretary.

Office of Public Works Dublin.

Drainage and Improvement of Lands (Ireland) Provisional Order.

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To confirm a Provisional Order under the Drainage and Improvement of Lands (Ireland) Act 1863 and the Acts amending the same relating to the Farney Bridge and Ballynahow Drainage District in the County of Tipperary.

Ordered to be brought in by Mr. Victor Cavendish and Mr. Wyndham.

Ordered, by The House of Commons, *to be Printed,* 19 *May* 1904.

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[Bill 213.]

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